

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF PUERTO RICO**

**ANGEL DAVID MORALES
VALLELLANES,**
Plaintiff,

v.

**JOHN POTTER, UNITED STATES
POSTMASTER GENERAL, ET ALS.,**
Defendants.

CIVIL NO. 97-2459 (GAG)

**DAMAGES BASED ON
RETALIATION AND
DISCRIMINATION; PROHIBITED
PERSONNEL PRACTICES;
UNFAIR LABOR PRACTICES;
BREACH OF COLLECTIVE
BARGAINING AGREEMENT**

**TRIAL BY JURY IS HEREBY
REQUESTED**

MOTION TO STAY PROCEEDINGS

COMES NOW, plaintiff Angel David Morales-Vallellanes through his legal counsel and very respectfully inform this Honorable Court:

1. On this date plaintiff Angel David Morales Vallellanes, has filed a Notice of Appeal to various denied orders in the above captioned case.
2. Said orders allowed defendants to file a motion for summary judgment way past the set deadline for dispositive motions, and precluded plaintiff to compel defendant to answer properly the objections to answer a discovery notified well before the set deadline for discovery.
3. Plaintiff has been ordered to file his opposition to defendant's motion for summary judgment on or before November 2nd, 2005. (See docket numbers 255 and 256)
4. In accordance to Rule 8 (a) F.R.A.P. a party can request from the District Court a stay order of the proceedings in the case pending the outcome of the appeal.
5. An order to stay the proceedings in the case pending the outcome of the appeal

should be issued due to the fact that such appeal will determine if defendants motion for summary judgment should be allowed or not, also if plaintiff motion to compel should be granted.

6. To prevent mootness it is respectfully requested an order to stay the proceedings pending the outcome of the appeal in the above captioned case.

WHEREFORE, it is respectfully requested from this Honorable Court to issue an ORDER to stay the proceedings in accordance to Rule 8(a) F.R.A.P.

RESPECTFULLY SUBMITTED.

I HEREBY CERTIFY that on October 14th, 2005, I electronically filed the foregoing with the Clerk of the Court using the CM/ECF System which will send notification of such filing to the following: **Fidel A. Sevillano-Del Río, Esq.**, Assistant U.S. Attorney, Federico Degetau Federal Build., 150 Carlos Chardón Av., Hato Rey, Puerto Rico 00918.

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